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10 THOMAS WEISEL INTERNATIONAL  
PRIVATE LIMITED  
11

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION  
15

16 THOMAS WEISEL PARTNERS LLC, a  
17 Delaware limited liability company, and  
18 THOMAS WEISEL INTERNATIONAL  
PRIVATE LIMITED, an Indian company,

19 Plaintiffs,

20 v.

21 BNP PARIBAS, a French corporation, BNP  
22 PARIBAS SECURITIES (ASIA) LIMITED,  
a Hong Kong company, and PRAVEEN  
23 CHAKRAVARTY, an individual,

24 Defendants.  
25  
26  
27  
28

No. C-07-06198 MHP

Action Filed: December 6, 2007

DECLARATION OF CLARA J. SHIN IN  
SUPPORT OF PLAINTIFFS' MOTION  
AND MEMORANDUM OF POINTS  
AND AUTHORITIES FOR PARTIAL  
SUMMARY JUDGMENT ON THE  
EIGHTH CAUSE OF ACTION FOR  
BREACH OF FIDUCIARY DUTY  
AGAINST DEFENDANT  
PRAVEEN CHAKRAVARTY

Date: February 22, 2010  
Time: 2:00 p.m.  
Place: Courtroom 15  
Judge: Hon. Marilyn Hall Patel

Trial Date: August 17, 2010

1           1. I am an attorney admitted to practice before the Bar of the State of California and  
 2 the United States District Court for the Northern District of California. I am a Director with  
 3 the law firm of Howard Rice Nemerovski Canady Falk & Rabkin, A Professional  
 4 Corporation ("Howard Rice"), counsel to Plaintiffs Thomas Weisel Partners LLC ("TWP")  
 5 and Thomas Weisel International Private Limited ("TWIPL") (together, "Plaintiffs") in the  
 6 above-captioned action. I make this declaration upon personal knowledge and, if called  
 7 upon to testify, could and would testify competently hereto.

8           2. Attached hereto as Exhibit A is a true and correct copy of relevant excerpts of a  
 9 certified transcript of a recorded telephone conversation between Pierre Rousseau  
 10 ("Rousseau") and Praveen Chakravarty ("Chakravarty"). BNP Paribas Securities (Asia)  
 11 Limited ("BNPP") and BNP Paribas (collectively, BNPP Defendants") produced the  
 12 recording of this conversation by attaching the audio file to an email sent on August 6, 2009  
 13 to counsel for Plaintiffs. On September 21, 2009, an employee of Howard Rice emailed the  
 14 audio file, as produced by BNPP Defendants, to Veritext, a provider of deposition and  
 15 litigation services, and requested a certified transcript of the recording. In BNPP's  
 16 Amended Responses to TWP's First Set of Interrogatories served on December 24, 2009,  
 17 BNPP verified that this telephone conversation between Pierre Rousseau and  
 18 Praveen Chakravarty took place on October 3, 2007.

19           3. Attached hereto as Exhibit B is a true and correct copy of relevant excerpts from  
 20 the deposition of Praveen Chakravarty ("Chakravarty Deposition"), taken by Plaintiffs on  
 21 October 9, 2009 in Mumbai, India.

22           4. Attached hereto as Exhibit C is a true and correct copy of an email discussion  
 23 beginning on or around September 21, 2007 among Praveen Chakravarty, Pierre Rousseau,  
 24 and Asad Sultan re "Intro to Praveen," produced by BNPP Defendants in this action and  
 25 Bates numbered BNP040193-94. Attached hereto as Exhibit C1 is a true and correct copy of  
 26 a version of this email discussion, produced by BNPP Defendants in this action and Bates  
 27 numbered BNP 39537-38. Exhibit C was introduced as Exhibit 60 at the Chakravarty  
 28

1 Deposition and Exhibit C-1 as Exhibit 1 at the deposition of Pierre Rousseau. *See* ¶17 &  
2 Ex. P at P2-P4, P9-P10, *infra*.

3 5. Attached hereto as Exhibit D is a true and correct copy of relevant excerpts from  
4 the deposition of Pierre Rousseau ("Rousseau Deposition"), taken by Plaintiffs on July 31,  
5 2009 in Hong Kong, China.

6 6. Attached hereto as Exhibit E is a true and correct copy of an email discussion on  
7 October 10-11, 2007 between Praveen Chakravarty and Pierre Rousseau re "Tomorrow,"  
8 produced by BNPP Defendants in this action and Bates numbered BNP039934-35. This  
9 document was introduced as Exhibit 16 at the Rousseau Deposition. *See* ¶17 & Ex. P at  
10 P11-P12, *infra*.

11 7. Attached hereto as Exhibit F is a true and correct copy of an email discussion on  
12 or around October 15, 2007 among Jonathan Harris, Pierre Rousseau, and  
13 Praveen Chakravarty re "Follow-up," produced by BNPP Defendants in this action and  
14 Bates numbered BNP039416. This document was introduced as Exhibit 18 at the Rousseau  
15 Deposition. *See* ¶17 & Ex. P at P13-P14, *infra*.

16 8. Attached hereto as Exhibit G is a true and correct copy of an email discussion on  
17 or around October 15, 2007 from Jonathan Harris to various BNPP employees re "Research  
18 Opportunity in India," produced by BNPP Defendants in this action and Bates numbered  
19 BNP041580, 42393-95, 40758-60. The email attaches an excel spreadsheet entitled  
20 "Discovery Research Comp.xls" and a memo entitled "India Opportunities." This document  
21 was introduced as Exhibit 2 at the deposition of Hugo Leung ("Leung Deposition"). *See* ¶17  
22 & Ex. P at P18-P19, *infra*.

23 9. Attached hereto as Exhibit H is a true and correct copy of relevant excerpts from  
24 the deposition of Jonathan Harris ("Harris Deposition"), taken via videoconference by  
25 Plaintiffs on August 29, 2009. Jonathan Harris was in Hong Kong, China and counsel for  
26 Plaintiffs was in San Francisco, California.

27 10. Attached hereto as Exhibit I is a true and correct copy of an email communication  
28 on or around October 15, 2007 among Praveen Chakravarty, Jonathan Harris, and

1 Pierre Rousseau re “Details,” produced by BNPP Defendants in this action and Bates  
2 numbered BNP040669-72. The document was introduced as Exhibit 19 at the Rousseau  
3 Deposition. *See* ¶17 & Ex. P at P17, *infra*.

4 11. Attached hereto as Exhibit J is a true and correct copy of an email sent by  
5 Praveen Chakravarty to Jonathan Harris on or around October 17, 2007 entitled “Test,”  
6 produced by BNPP Defendants in this action and Bates numbered BNP040761;  
7 BNP141709-11. Exhibit J was introduced as Exhibit 64 at the Chakravarty Deposition, and  
8 the document attached hereto as J1, bearing the same Bates range, was introduced as  
9 Exhibit 30 at the Harris Deposition. *See* ¶17 & Ex. P at P3, P20, *infra*.

10 12. Attached hereto as Exhibit K is a true and correct copy of an email discussion on  
11 or around October 22, 2007 among Praveen Chakravarty, Amy Wong and Jonathan Harris re  
12 “Later this Week,” produced by BNPP Defendants in this action and Bates numbered  
13 BNP039388-91. The document was introduced as Exhibit 65 at the Chakravarty Deposition.  
14 *See* ¶17 & Ex. P at P3, *infra*.

15 13. Attached hereto as Exhibit L is a true and correct copy of an email discussion on  
16 or around October 26 and 27, 2007 among Praveen Chakravarty, Jonathan Harris, and others  
17 re “Perks,” produced by BNPP Defendants in this action and Bates numbered BNP040886,  
18 40865-70. The document was introduced as Exhibit 38 to the Harris Deposition. *See* ¶17 &  
19 Ex. P at P21, *infra*. Attached hereto as Exhibit L1 is a true and correct copy of an email sent  
20 by Praveen Chakravarty to Payal Ray and Angelo Pinto on or around October 30, 2007  
21 forwarding Exhibit 38, produced by BNPP Defendants and Bates numbered BNP042582-  
22 602ed. Exhibit L1 was introduced as Exhibit 41 at the Harris Deposition. *See* ¶17 & Ex. P  
23 at P3, P22-P23, *infra*.

24 14. Attached hereto as Exhibit M is a true and correct copy of an email on or around  
25 November 1, 2007 between Praveen Chakravarty and Jonathan Harris re “Appointment of  
26 Abhijit Raha—Head of Institutional Equities and Corporate Finance, India,” produced by  
27 BNPP Defendants in this action and Bates numbered BNP039983-85. The document was  
28 introduced as Exhibit 67 at the Chakravarty Deposition. *See* ¶17 & Ex. P at P3, *infra*.

/s/  
Clara J. Shin